

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)
) MDL No. 2419
This Document Relates to:)
 All Cases)
)
IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY CASES)
) Master File No. 1:13-md-02419-FDS
This Document Relates to:)
 All Cases)
)

NOTICE OF APPEAL

Notice is hereby given that the Roanoke Gentry Locke Plaintiffs,¹ a subset of the plaintiffs in the above-named litigation, hereby appeal to the United States Court of Appeals for the First Circuit from the Court's Memorandum and Order on Trustee's Motion to Transfer Cases and Related Motions, dated May 31, 2013 [ECF No. 170], and its ruling on July 18, 2013 [ECF No. 340], denying their Motion to Alter or Amend Judgment Under Rule 59(e) and their Motion to Certify for Interlocutory Appeal Under 28 U.S.C. § 1292(b).

¹ The Roanoke Gentry Locke Plaintiffs consist of parties represented by the law firm Gentry Locke Rakes & Moore LLP and who have filed personal injury and wrongful death claims against non-debtor third-party defendants in Virginia state court. They are Sandra F. Artis; Dana Marlene Bradley; Ronnie A. Brown; Ronald T. Courtney; Trudy R. Epperly; Barbara J. Filson; Zachary Lucas Foutz, a Minor, by His Parents and Next Friends, Benjamin T. Foutz and Andrea L. Foutz; Robert Earl Harris, Jr.; Julian D. Holbrook; Robert Dana Bender, Executor of the Estate of Ralph James Irace, Jr., Deceased; Chester T. Kalinoski; Pauline R. McFarlane; Odessa M. Shuck; James Wirt Smith, Jr.; Randolph E. Smith; Patricia S. Brown, John D. Spicer, and Jenae S. Patsell, Executors of the Estate of Louis B. Spicer, Deceased; Rose M. White; Richard A. Whitlow; and Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, Deceased.

ROANOKE GENTRY LOCKE PLAINTIFFS

/s/ J. Scott Sexton
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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2013, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which then sent a notification of such filing (NEF) to all counsel of record.

/s/ J. Scott Sexton